

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

1473219 ONTARIO LIMITED,

Plaintiff,

Case No. 12-10540

v.

Hon. John Corbett O'Meara
Hon. Michael Hluchaniuk

ALTERNATIVE AVIATION SERVICES, INC.,
and JOHN R. SHIRK,

Defendants.

**ORDER OVERRULING DEFENDANTS'
OBJECTION TO MAGISTRATE JUDGE'S ORDER**

Before the court is Defendants' objection to Magistrate Judge Hluchaniuk's January 15, 2013 order denying Plaintiff's motion for possession. Plaintiff asserts that Defendants' objection is untimely, because it was filed January 30, 2013. However, pursuant to Fed. R. Civ. P. 72(a), 6(a), and 6(d), Defendants had until February 1, 2013, to file their objection. (Fourteen days plus three days pursuant to Rule 6(d)). Accordingly, Defendants' objection is timely.

Pursuant to 28 U.S.C. § 636(b)(1)(A), this court may modify or set aside any portion of Magistrate Judge Hluchaniuk's non-dispositive order that is "clearly erroneous or contrary to law." See also Fed. R. Civ. P. 72(a). Upon review of Magistrate Judge Hluchaniuk's thorough and well-supported order, the underlying motion, Defendants' objection, and the applicable law, the court does not find that the decision is clearly erroneous or contrary to law. Further, Defendants have not cited authority to support their contention that the magistrate erred.

Accordingly, IT IS HEREBY ORDERED that Defendants' objection to Magistrate Judge Hluchaniuk's January 15, 2013 order is OVERRULED.

s/John Corbett O'Meara
United States District Judge

Date: May 23, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, May 24, 2013, using the ECF system.

s/William Barkholz
Case Manager